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HOUSE BILL 5

**49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2010**

INTRODUCED BY

Jim R. Trujillo

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; CLARIFYING CONDITIONS FOR THE ISSUANCE OF BONDS; ESTABLISHING CONDITIONS FOR THE EXPENDITURE OF SEVERANCE TAX BOND PROCEEDS; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS; REAUTHORIZING OR REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES, EXTENDING EXPENDITURE PERIODS AND CHANGING AGENCIES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--  
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds in compliance with the Severance Tax

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1 Bonding Act in an amount not to exceed the total of the amounts  
2 authorized for purposes specified in this act or may allocate  
3 to such purposes the proceeds of severance tax bonds  
4 reauthorized for but not allocated to specific purposes in acts  
5 of the second session of the forty-ninth legislature. The  
6 state board of finance shall schedule the issuance and sale of  
7 the bonds in the most expeditious and economical manner  
8 possible upon a finding by the board that the project has been  
9 developed sufficiently to justify the issuance and that the  
10 project can proceed to contract within a reasonable time. The  
11 state board of finance shall further take the appropriate steps  
12 necessary to comply with the Internal Revenue Code of 1986, as  
13 amended. Proceeds from the sale of the bonds and proceeds of  
14 severance tax bonds reauthorized for but not allocated to  
15 specific purposes in acts of the second session of the forty-  
16 ninth legislature are appropriated for the purposes specified  
17 in this act.

18 B. The agencies named in this act shall certify to  
19 the state board of finance when the money from the proceeds of  
20 the severance tax bonds appropriated in this section is needed  
21 for the purposes specified in the applicable section of this  
22 act. If an agency has not certified the need for severance tax  
23 bond proceeds for a particular project, including projects that  
24 have been reauthorized, by the end of fiscal year 2012, the  
25 authorization for that project is void.

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1           C. Before an agency may certify for the need of  
2 severance tax bond proceeds, the project must be developed  
3 sufficiently so that the agency reasonably expects to:

4                   (1) incur within six months after the  
5 applicable bond proceeds are available for the project a  
6 substantial binding obligation to a third party to expend at  
7 least five percent of the bond proceeds for the project; and

8                   (2) spend at least eighty-five percent of the  
9 bond proceeds within three years after the applicable bond  
10 proceeds are available for the project.

11           D. Except as otherwise specifically provided by  
12 law:

13                   (1) the unexpended balance from the proceeds  
14 of severance tax bonds appropriated in this act for a project  
15 shall revert to the severance tax bonding fund no later than  
16 the following dates:

17                           (a) for a project for which severance  
18 tax bond proceeds were appropriated to match federal grants,  
19 six months after completion of the project;

20                           (b) for a project for which severance  
21 tax bond proceeds were appropriated to purchase vehicles,  
22 including emergency vehicles and other vehicles that require  
23 special equipment; heavy equipment; books; educational  
24 technology; or other equipment or furniture that is not related  
25 to a more inclusive construction or renovation project, at the

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1 end of the fiscal year two years following the fiscal year in  
2 which the severance tax bond proceeds were made available for  
3 the purchase; and

4 (c) for any other project for which  
5 severance tax bonds were appropriated, within six months of  
6 completion of the project, but no later than the end of fiscal  
7 year 2014; and

8 (2) all remaining balances from the proceeds  
9 of severance tax bonds appropriated for a project in this act  
10 shall revert to the severance tax bonding fund three months  
11 after the latest reversion date specified for that type of  
12 project in Paragraph (1) of this subsection.

13 E. Except for appropriations to the capital program  
14 fund, money from severance tax bond proceeds provided pursuant  
15 to this act shall not be used to pay indirect project costs.

16 F. For the purpose of this section, "unexpended  
17 balance" means the remainder of an appropriation after  
18 reserving for unpaid costs and expenses covered by binding  
19 written obligations to third parties.

20 Section 2. OTHER FUND APPROPRIATIONS--LIMITATIONS--  
21 REVERSIONS.--

22 A. Except as otherwise specifically provided by  
23 law:

24 (1) the unexpended balance of an appropriation  
25 made in this act from other state funds shall revert no later

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1 than the following dates:

2 (a) for a project for which an  
3 appropriation was made to match federal grants, six months  
4 after completion of the project;

5 (b) for a project for which an  
6 appropriation was made to purchase vehicles, including  
7 emergency vehicles and other vehicles that require special  
8 equipment; heavy equipment; books; educational technology; or  
9 other equipment or furniture that is not related to a more  
10 inclusive construction or renovation project, at the end of the  
11 fiscal year two years following the fiscal year in which the  
12 appropriation was made for the purchase; and

13 (c) for any other project for which an  
14 appropriation was made, within six months of completion of the  
15 project, but no later than the end of fiscal year 2014; and

16 (2) all remaining balances from an  
17 appropriation made in this act for a project shall revert three  
18 months after the latest reversion date specified for that type  
19 of project in Paragraph (1) of this subsection.

20 B. Except for appropriations to the capital program  
21 fund, money from appropriations made in this act shall not be  
22 used to pay indirect project costs.

23 C. Except as provided in Subsection E of this  
24 section, the balance of an appropriation made from the general  
25 fund shall revert in the time frame set forth in Subsection A

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1 of this section to the capital projects fund.

2 D. Except as provided in Subsection E of this  
3 section, the balance of an appropriation made from other state  
4 funds shall revert in the time frame set forth in Subsection A  
5 of this section to the originating fund.

6 E. The balance of an appropriation made from the  
7 general fund or other state fund to the Indian affairs  
8 department or the aging and long-term services department for a  
9 project located on lands of an Indian nation, tribe or pueblo  
10 shall revert in the time frame set forth in Subsection A of  
11 this section to the tribal infrastructure project fund.

12 F. For the purpose of this section, "unexpended  
13 balance" means the remainder of an appropriation after  
14 reserving for unpaid costs and expenses covered by binding  
15 written obligations to third parties.

16 Section 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECT--  
17 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
18 of this act, upon certification by the administrative office of  
19 the courts that the need exists for the issuance of the bonds,  
20 one million dollars (\$1,000,000) is appropriated to the  
21 administrative office of the courts to purchase and install  
22 security equipment, including related infrastructure, at courts  
23 statewide.

24 Section 4. CAPITAL PROGRAM FUND PROJECTS--SEVERANCE TAX  
25 BONDS.--Pursuant to the provisions of Section 1 of this act,  
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1 upon certification by the property control division of the  
2 general services department that the need exists for the  
3 issuance of the bonds, the following amounts are appropriated  
4 to the capital program fund for the following purposes:

5 1. four hundred thousand dollars (\$400,000) to  
6 renovate and equip the youth diagnostic and development center  
7 and Camino Nuevo site in Albuquerque in Bernalillo county in  
8 accordance with the Missouri model and implementation of  
9 Cambiar New Mexico;

10 2. five hundred thousand dollars (\$500,000) for  
11 upgrades, including walkways, sidewalks, ramps and stairs, to  
12 comply with the Americans with Disabilities Act of 1990 at the  
13 youth diagnostic and development center campus in Albuquerque  
14 in Bernalillo county;

15 3. five hundred thousand dollars (\$500,000) to  
16 upgrade the security systems at the youth diagnostic and  
17 development center and at the Camino Nuevo site in Albuquerque  
18 in Bernalillo county;

19 4. five hundred thousand dollars (\$500,000) to  
20 purchase, install, equip and furnish the tri-services lab  
21 facility project, including moving new and existing furniture  
22 and equipment, at the state laboratory services building in  
23 Albuquerque in Bernalillo county;

24 5. four hundred thousand dollars (\$400,000) to  
25 replace the roof and make improvements, including mold

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1 remediation and structural and plumbing repairs, at the motor  
2 vehicle division's Clovis field office in Curry county;

3 6. two million five hundred thousand dollars  
4 (\$2,500,000) to complete construction of the Santa Teresa port  
5 of entry in Dona Ana county;

6 7. eight hundred twenty thousand dollars (\$820,000)  
7 for continued construction and infrastructure improvements at  
8 the department of public safety district offices in Las Cruces  
9 in Dona Ana county and Las Vegas in San Miguel county;

10 8. seven million dollars (\$7,000,000) to plan,  
11 design and construct the New Meadows and Ponderosa buildings at  
12 the New Mexico behavioral health institute in Las Vegas in San  
13 Miguel county;

14 9. two million dollars (\$2,000,000) to upgrade the  
15 heating, ventilation and air conditioning systems and  
16 infrastructure at the southern New Mexico correctional facility  
17 in Dona Ana county and the central New Mexico correctional  
18 facility in Valencia county;

19 10. two million four hundred thousand dollars  
20 (\$2,400,000) for patient health and safety improvements at  
21 department of health facilities statewide;

22 11. five hundred thousand dollars (\$500,000) for  
23 demolition, decommissioning and asbestos abatement of state  
24 buildings, including the oil conservation field office in Hobbs  
25 in Lea county, El Camino building and CBS barracks at the

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1 behavioral health institute in Las Vegas in San Miguel county  
2 and the old dormitory at the New Mexico rehabilitation center  
3 in Roswell in Chaves county; and

4 12. three million four hundred eighty thousand  
5 dollars (\$3,480,000) for repairs, renovations, deferred  
6 maintenance, restoration and infrastructure improvements at  
7 state buildings statewide.

8 Section 5. CULTURAL AFFAIRS DEPARTMENT PROJECT--SEVERANCE  
9 TAX BONDS.--Pursuant to the provisions of Section 1 of this  
10 act, upon certification by the cultural affairs department that  
11 the need exists for the issuance of the bonds, one million one  
12 hundred thousand dollars (\$1,100,000) is appropriated to the  
13 cultural affairs department for repairs and infrastructure  
14 improvements, including security, fire suppression, electrical,  
15 sewer and utility upgrades and improvements to comply with the  
16 Americans with Disabilities Act of 1990, to state museums and  
17 monuments statewide.

18 Section 6. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION  
19 PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
20 Section 1 of this act, upon certification by the Cumbres and  
21 Toltec scenic railroad commission that the need exists for the  
22 issuance of the bonds, four hundred thousand dollars (\$400,000)  
23 is appropriated to the Cumbres and Toltec scenic railroad  
24 commission for track rehabilitation and improvements to the  
25 Cumbres and Toltec scenic railroad in Rio Arriba county.

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1           Section 7. OFFICE OF THE STATE ENGINEER PROJECT--  
2 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
3 of this act, upon certification by the office of the state  
4 engineer that the need exists for the issuance of the bonds,  
5 one million dollars (\$1,000,000) is appropriated to the office  
6 of the state engineer for construction and improvements to the  
7 Cabresto Lake dam in Taos county, the Bluewater dam in Cibola  
8 county and the Hatch site 6 dam in Dona Ana county.

9           Section 8. DEPARTMENT OF FINANCE AND ADMINISTRATION  
10 PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of  
11 Section 1 of this act, upon certification by the department of  
12 finance and administration that the need exists for the  
13 issuance of the bonds, the following amounts are appropriated  
14 to the department of finance and administration for the  
15 following purposes:

16                   1. two million dollars (\$2,000,000) to plan,  
17 design, purchase, acquire, construct and improve infrastructure  
18 for colonias statewide;

19                   2. two million five hundred thousand dollars  
20 (\$2,500,000) for infrastructure development, design and  
21 construction for a financial services economic development  
22 project in Bernalillo county pursuant to the Local Economic  
23 Development Act; and

24                   3. six million dollars (\$6,000,000) for  
25 infrastructure development, design and construction of a

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1 technical support center in Rio Rancho in Sandoval county  
2 pursuant to the Local Economic Development Act.

3 Section 9. EDUCATIONAL INSTITUTION PROJECTS--SEVERANCE  
4 TAX BONDS.--Pursuant to the provisions of Section 1 of this  
5 act, upon certification by the following agencies that the need  
6 exists for the issuance of the bonds, the following amounts are  
7 appropriated to the following agencies for the following  
8 purposes:

9 1. one million dollars (\$1,000,000) to the board of  
10 regents of eastern New Mexico university for infrastructure  
11 improvements, including heating, ventilation and air  
12 conditioning and other improvements to the Greyhound arena, at  
13 eastern New Mexico university in Portales in Roosevelt county;  
14 and

15 2. three million dollars (\$3,000,000) to the higher  
16 education department for roof improvements and replacement at  
17 New Mexico junior college in Hobbs in Lea county.

18 Section 10. TRIBAL INFRASTRUCTURE PROJECT FUND PROJECT--  
19 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
20 of this act, upon certification by the department of finance  
21 and administration that the need exists for the issuance of the  
22 bonds, two million five hundred thousand dollars (\$2,500,000)  
23 is appropriated to the tribal infrastructure project fund for  
24 tribal infrastructure projects related to water, wastewater,  
25 electrical systems, communications, roads, health, emergency

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1 facilities and economic development statewide to carry out the  
2 provisions of the Tribal Infrastructure Act.

3 Section 11. DEPARTMENT OF PUBLIC SAFETY PROJECT--  
4 SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1  
5 of this act, upon certification by the department of public  
6 safety that the need exists for the issuance of the bonds,  
7 three hundred thousand dollars (\$300,000) is appropriated to  
8 the department of public safety to purchase and equip vehicles.

9 Section 12. DEPARTMENT OF GAME AND FISH PROJECT--  
10 APPROPRIATION FROM THE GAME AND FISH BOND RETIREMENT FUND AND  
11 THE GAME PROTECTION FUND.--The following amounts are  
12 appropriated from the following funds to the department of game  
13 and fish for expenditure in fiscal years 2010 through 2014,  
14 unless otherwise provided for in Section 2 of this act, to  
15 construct and make improvements to integrate the existing cold  
16 water fish hatchery at the Rock Lake warm water fish hatchery  
17 in Guadalupe county:

- 18 1. one million two hundred thousand dollars  
19 (\$1,200,000) from the game and fish bond retirement fund; and
- 20 2. two million three hundred thousand dollars  
21 (\$2,300,000) from the game protection fund.

22 Section 13. DEPARTMENT OF TRANSPORTATION PROJECT--  
23 APPROPRIATION FROM THE STATE ROAD FUND.--Three hundred fifty  
24 thousand dollars (\$350,000) is appropriated from the state road  
25 fund to the department of transportation for expenditure in

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1 fiscal years 2010 through 2014, unless otherwise provided for  
2 in Section 2 of this act, for purchase, installation and  
3 construction of salt storage facilities in Clines Corners in  
4 Torrance county.

5 Section 14. COURT OF APPEALS BUILDING ON THE UNIVERSITY  
6 OF NEW MEXICO CAMPUS--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The  
7 court of appeals project in Laws 2008, Chapter 92, Section 6 to  
8 construct a building for the court of appeals adjacent to the  
9 law school at the university of New Mexico in Albuquerque in  
10 Bernalillo county may include purchasing and installing  
11 furniture, fixtures and equipment.

12 Section 15. EXPLORA SCIENCE CENTER AND CHILDREN'S  
13 MUSEUM--EXTEND TIME--SEVERANCE TAX BONDS.--The time of  
14 expenditure for the local government division project in  
15 Subsection 21 of Section 16 of Chapter 347 of Laws 2005 and  
16 reauthorized in Laws 2006, Chapter 107, Section 18 for  
17 exhibits, furniture, fixtures, equipment, facilities, portable  
18 buildings and an addition at the Explora science center and  
19 children's museum in Albuquerque in Bernalillo county is  
20 extended through fiscal year 2012.

21 Section 16. EXPLORA SCIENCE CENTER AND CHILDREN'S  
22 MUSEUM--EXTEND TIME--GENERAL FUND.--The time of expenditure for  
23 the local government division project in Subsection 30 of  
24 Section 45 of Chapter 347 of Laws 2005 and reauthorized in Laws  
25 2006, Chapter 107, Section 18 for exhibits, furniture,

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1 fixtures, equipment, facilities, portable buildings and an  
2 addition at the Explora science center and children's museum in  
3 Albuquerque in Bernalillo county is extended through fiscal  
4 year 2012.

5 Section 17. STATE MULTIPURPOSE EQUESTRIAN  
6 FACILITY--CHANGE TO TINGLEY COLISEUM IMPROVEMENTS--CHANGE  
7 AGENCY--SEVERANCE TAX BONDS.--Two million six hundred  
8 twenty-five thousand dollars (\$2,625,000) of the unexpended  
9 balance of the appropriation to the property control division  
10 of the general services department in Paragraph (12) of  
11 Subsection B of Section 2 of Chapter 5 of Laws 2009 for a state  
12 multipurpose equestrian facility at the state fairgrounds in  
13 Bernalillo county shall not be expended for the original  
14 purpose but is appropriated to the state fair commission to  
15 plan, design, construct, renovate and improve Tingley coliseum  
16 and other facilities at Expo New Mexico in Albuquerque in  
17 Bernalillo county.

18 Section 18. STATE BUILDINGS REPAIRS AND  
19 RENOVATIONS--CHANGE TO ALBUQUERQUE TRI-SERVICES LAB  
20 PROJECT--GENERAL FUND.--The unexpended balance of the  
21 appropriation to the capital program fund originally  
22 appropriated in Subsection 12 of Section 38 of Chapter 42 of  
23 Laws 2007 and reappropriated in Laws 2009, Chapter 128, Section  
24 500 for emergency repairs, repairs and renovations to state  
25 buildings statewide shall not be expended for the original or  
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1 reappropriated purpose but is changed to purchase, install,  
2 equip and furnish the tri-services lab facility project,  
3 including moving new and existing furniture and equipment, at  
4 the state laboratory services building in Albuquerque in  
5 Bernalillo county.

6 Section 19. STATE BUILDINGS IMPROVEMENTS--CHANGE TO STATE  
7 LABORATORY TRI-SERVICES LAB FACILITY--SEVERANCE TAX BONDS.--Six  
8 hundred seventy thousand forty-eight dollars (\$670,048) of the  
9 unexpended balance of the appropriation to the capital program  
10 fund in Subsection 9 of Section 3 of Chapter 7 of Laws 2009  
11 (1st S.S.) for improvements to state buildings statewide shall  
12 not be expended for the original purpose but is changed to  
13 purchase, install, equip and furnish the tri-services lab  
14 facility project at the state laboratory services building in  
15 Albuquerque in Bernalillo county.

16 Section 20. STATE MULTIPURPOSE EQUESTRIAN  
17 FACILITY--CHANGE TO UNIVERSITY OF NEW MEXICO BASEBALL  
18 STADIUM--CHANGE AGENCY--SEVERANCE TAX BONDS.--Two million  
19 dollars (\$2,000,000) of the unexpended balance of the  
20 appropriation to the property control division of the general  
21 services department in Paragraph (12) of Subsection B of  
22 Section 2 of Chapter 5 of Laws 2009 for a state multipurpose  
23 equestrian facility at the state fairgrounds in Bernalillo  
24 county shall not be expended for the original purpose but is  
25 appropriated to the board of regents of the university of New

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1 Mexico to plan, design, demolish, furnish, construct, renovate  
2 and equip the baseball stadium at the university of New Mexico  
3 in Albuquerque in Bernalillo county.

4 Section 21. COUNTY FAIRGROUNDS AND RODEO FACILITIES  
5 IMPROVEMENTS--CHANGE TO UNIVERSITY OF NEW MEXICO MAGNETIC  
6 RESONANCE IMAGING SCANNER--CHANGE AGENCY--SEVERANCE TAX  
7 BONDS.--Seven hundred thousand dollars (\$700,000) of the  
8 unexpended balance of the appropriation to the department of  
9 finance and administration in Subsection 5 of Section 22 of  
10 Chapter 125 of Laws 2009 to plan, design, construct and equip  
11 county fairgrounds and public rodeo facilities statewide shall  
12 not be expended for the original purpose but is appropriated to  
13 the board of regents of the university of New Mexico to acquire  
14 a magnetic resonance imaging scanner for the tri-services lab  
15 facility for use by the office of the medical investigator in  
16 Albuquerque in Bernalillo county.

17 Section 22. CANNON AIR FORCE BASE INFRASTRUCTURE,  
18 EXPANSION AND RENOVATION--CHANGE AGENCY--SEVERANCE TAX  
19 BONDS.--The unexpended balance of the appropriation originally  
20 authorized to the department of finance and administration in  
21 Subsection 2 of Section 15 of Chapter 111 of Laws 2006 to  
22 acquire land and water rights and to plan, design and construct  
23 infrastructure for Cannon air force base in Curry county and  
24 reauthorized in Laws 2007, Chapter 341, Section 98 to include  
25 acquiring land and water rights statewide and renovating,

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1 equipping and furnishing infrastructure and other improvements  
2 to be used in connection with the new mission of Cannon air  
3 force base, including expansion and renovation of the base, is  
4 appropriated to the office of military base planning and  
5 support for those purposes.

6 Section 23. DE BACA COUNTY TRANSFER STATION EQUIPMENT  
7 PURCHASE--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX  
8 BONDS.--The department of environment project in Subsection 15  
9 of Section 15 of Chapter 92 of Laws 2008 to purchase equipment  
10 for a transfer station in De Baca county may include designing,  
11 constructing and equipping a transfer station. The time of  
12 expenditure is extended through fiscal year 2012.

13 Section 24. STATE MULTIPURPOSE EQUESTRIAN  
14 FACILITY--CHANGE TO NEW MEXICO STATE UNIVERSITY PAN AMERICAN  
15 CENTER--CHANGE AGENCY--SEVERANCE TAX BONDS.--Two hundred fifty  
16 thousand dollars (\$250,000) of the unexpended balance of the  
17 appropriation to the property control division of the general  
18 services department in Paragraph (12) of Subsection B of  
19 Section 2 of Chapter 5 of Laws 2009 for a state multipurpose  
20 equestrian facility at the state fairgrounds in Bernalillo  
21 county shall not be expended for the original purpose but is  
22 appropriated to the board of regents of New Mexico state  
23 university to plan, design, construct, equip and furnish the  
24 Pan American center, including demolition and installing a  
25 floor, at New Mexico state university in Dona Ana county.

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1           Section 25. SANTA TERESA SAFETY INSPECTION  
2 STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of  
3 expenditure for the capital program fund project in Paragraph  
4 (6) of Subsection B of Section 25 of Chapter 429 of Laws 2003  
5 and reauthorized in Laws 2008, Chapter 83, Section 398 to plan,  
6 design, construct, equip and furnish a safety inspection  
7 station at Santa Teresa in Dona Ana county is extended through  
8 fiscal year 2012.

9           Section 26. HATCH WASTEWATER SYSTEM IMPROVEMENTS--EXTEND  
10 TIME--GENERAL FUND.--The time of expenditure for the department  
11 of environment project in Subsection 38 of Section 45 of  
12 Chapter 111 of Laws 2006 for regional wastewater improvements  
13 in Hatch in Dona Ana county is extended through fiscal year  
14 2012.

15           Section 27. ALBUQUERQUE EQUESTRIAN FACILITY--CHANGE TO  
16 SANTA TERESA SAFETY INSPECTION STATION--CHANGE  
17 AGENCY--SEVERANCE TAX BONDS.--One million four hundred eighty  
18 thousand dollars (\$1,480,000) of the unexpended balance of the  
19 appropriation to the local government division in Subsection 9  
20 of Section 21 of Chapter 92 of Laws 2008 for an equestrian  
21 facility in Albuquerque in Bernalillo county shall not be  
22 expended for the original purpose but is appropriated to the  
23 capital program fund to plan, design, construct, equip and  
24 furnish a safety inspection station in Santa Teresa in Dona Ana  
25 county.

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1           Section 28. SANTA TERESA SAFETY INSPECTION  
2 STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of  
3 expenditure for the capital program fund project in Paragraph  
4 (3) of Subsection B of Section 25 of Chapter 429 of Laws 2003  
5 and reauthorized in Laws 2008, Chapter 83, Section 208 to plan,  
6 design and construct a safety inspection station at Santa  
7 Teresa in Dona Ana county is extended through fiscal year 2012.

8           Section 29. SANTA TERESA SAFETY INSPECTION  
9 STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of  
10 expenditure for the capital program fund project in Subsection  
11 C of Section 5 of Chapter 2 of Laws 1999 (1st S.S.) and  
12 reauthorized in Laws 2003, Chapter 429, Section 124 and again  
13 in Laws 2008, Chapter 83, Section 209 to plan, design and  
14 construct a safety inspection station in Santa Teresa in Dona  
15 Ana county is extended through fiscal year 2012.

16           Section 30. SANTA TERESA SAFETY INSPECTION  
17 STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of  
18 expenditure for the capital program fund project in Paragraph  
19 (10) of Subsection B of Section 25 of Chapter 429 of Laws 2003  
20 and reauthorized in Laws 2005, Chapter 347, Section 181 and  
21 again in Laws 2008, Chapter 83, Section 397 to plan, design,  
22 construct, equip and furnish a safety inspection station at  
23 Santa Teresa in Dona Ana county is extended through fiscal year  
24 2012.

25           Section 31. MORA, LAS VEGAS AND WEST LAS VEGAS PUBLIC  
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1 SCHOOL DISTRICTS INFORMATION TECHNOLOGY AND PHONE  
2 SYSTEMS--CLARIFYING THE PURPOSE--EXTENDING THE TIME--GENERAL  
3 FUND.--The local government division project originally  
4 appropriated in Paragraph (10) of Subsection B of Section 63 of  
5 Chapter 111 of Laws 2006 and reappropriated in Laws 2007,  
6 Chapter 341, Section 209 and further reappropriated in Laws  
7 2009, Chapter 128, Section 348 to purchase and install an  
8 automated phone system for the Mora independent school  
9 district, west Las Vegas public school district, Las Vegas city  
10 public school district and Wagon Mound public school district  
11 and to purchase and install information technology, including  
12 related equipment, furniture and infrastructure, in the Mora  
13 independent school district in San Miguel and Mora counties may  
14 be expended for these purposes by these school districts with  
15 the exception of the Wagon Mound public school district. The  
16 time of expenditure is extended through fiscal year 2012.

17 Section 32. ALAMOGORDO PUBLIC LIBRARY CONSTRUCT--EXPAND  
18 PURPOSE--GENERAL FUND.--The local government division project  
19 in Subsection 497 of Section 68 of Chapter 42 of Laws 2007 to  
20 plan, design, construct, equip and furnish a public library in  
21 Alamogordo in Otero county may include renovations.

22 Section 33. NEW MEXICO SCHOOL FOR THE DEAF DILLON  
23 HALL--EXPAND PURPOSE--SEVERANCE TAX BONDS.--Two million five  
24 hundred ninety-one thousand seven hundred four dollars  
25 (\$2,591,704) of the unexpended balance of the appropriation to  
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underscoring material = new  
[bracketed material] = delete

1 the board of regents of the New Mexico school for the deaf in  
2 Subsection 1 of Section 9 of Chapter 92 of Laws 2008 to plan,  
3 design, construct, renovate, equip and furnish Dillon hall at  
4 the New Mexico school for the deaf in Santa Fe in Santa Fe  
5 county may include correcting other capital deficiencies at  
6 that campus.

7 Section 34. NEW MEXICO SCHOOL FOR THE DEAF DILLON  
8 HALL--CHANGE TO SIGN AND LANGUAGE ACADEMY CHARTER  
9 SCHOOL--SEVERANCE TAX BONDS.--One hundred thousand dollars  
10 (\$100,000) of the unexpended balance of the appropriation to  
11 the board of regents of the New Mexico school for the deaf in  
12 Subsection 1 of Section 9 of Chapter 92 of Laws 2008 to plan,  
13 design, construct, renovate, equip and furnish Dillon hall at  
14 the New Mexico school for the deaf in Santa Fe in Santa Fe  
15 county shall not be expended for the original purpose but is  
16 appropriated to the public education department to renovate and  
17 improve a facility for the sign and language academy charter  
18 school in Albuquerque in Bernalillo county.

19 Section 35. WEST CAPITOL COMPLEX PROPERTY ACQUISITION--  
20 EXPANDING PURPOSE OF ACQUISITION.--The appropriations in Laws  
21 2007, Chapter 64, Section 6 as amended by Laws 2009, Chapter  
22 114, Section 6 for the acquisition of property within the west  
23 capitol complex owned by the United States general services  
24 administration and the United States forest service shall be  
25 expended also for the acquisition of parcels A and B, which are

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underscored material = new  
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1 contiguous to Siringo road; parcel D, which is contiguous to  
2 the state printing property; and parcel C, which is contiguous  
3 to parcels B and D, all being the most southeastern parcels of  
4 vacant land within the former college of Santa Fe campus in  
5 Santa Fe in Santa Fe county, notwithstanding the provisions of  
6 Section 15-3B-18 NMSA 1978.

7 Section 36. FAIR AND ARENA RODEO FACILITIES  
8 IMPROVEMENTS--CHANGE TO CONSERVATION EASEMENTS STATEWIDE--  
9 CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of  
10 the appropriation to the local government division in Paragraph  
11 (15) of Subsection B of Section 2 of Chapter 5 of Laws 2009 for  
12 improvements to fair and arena rodeo facilities shall not be  
13 expended for the original purpose but is appropriated to the  
14 energy, mineral and natural resources department for  
15 restoration projects and the purchase of conservation easements  
16 statewide.

17 Section 37. COUNTY FAIRGROUNDS AND RODEO FACILITIES  
18 IMPROVEMENTS--CHANGE TO STATE POLICE FLEET REPLACEMENTS--CHANGE  
19 AGENCY--SEVERANCE TAX BONDS.--Three hundred thousand dollars  
20 (\$300,000) of the unexpended balance of the appropriation to  
21 the department of finance and administration in Subsection 5 of  
22 Section 22 of Chapter 125 of Laws 2009 to plan, design,  
23 construct and equip county fairgrounds and public rodeo  
24 facilities statewide shall not be expended for the original  
25 purpose but is appropriated to the New Mexico state police

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underscored material = new  
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1 division of the department of public safety for fleet  
2 replacements and improvements.

3 Section 38. ALBUQUERQUE EQUESTRIAN FACILITY--CHANGE TO  
4 INFRASTRUCTURE RENOVATIONS AT THE CARLSBAD BRANCH OF NEW MEXICO  
5 STATE UNIVERSITY--SEVERANCE TAX BONDS.--Five hundred thousand  
6 dollars (\$500,000) of the unexpended balance of the  
7 appropriation to the local government division in Subsection 9  
8 of Section 21 of Chapter 92 of Laws 2008 for an equestrian  
9 facility in Albuquerque in Bernalillo county shall not be  
10 expended for the original purpose but is appropriated to the  
11 board of regents of New Mexico state university for  
12 infrastructure renovation, including improvements to the  
13 heating, ventilation and air conditioning systems, classrooms,  
14 energy management systems, hot water systems and transportation  
15 and parking, at the Carlsbad branch campus of New Mexico state  
16 university in Eddy county.

17 Section 39. STATE BUILDINGS IMPROVEMENTS--CHANGE TO  
18 TINGLEY COLISEUM AND EXPO NEW MEXICO FACILITIES  
19 IMPROVEMENTS--CHANGE AGENCY--SEVERANCE TAX BONDS.--Three  
20 hundred twenty-nine thousand nine hundred fifty-two dollars  
21 (\$329,952) of the unexpended balance of the appropriation to  
22 the capital program fund in Subsection 9 of Section 3 of  
23 Chapter 7 of Laws 2009 (1st S.S.) for improvements to state  
24 buildings statewide shall not be expended for the original  
25 purpose but is appropriated to the state fair commission to

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underscoring material = new  
[bracketed material] = delete

1 plan, design, construct, renovate and improve Tingley coliseum  
2 and other facilities at Expo New Mexico in Albuquerque in  
3 Bernalillo county.

4 Section 40. PROJECT SCOPE--EXPENDITURES.--If an  
5 appropriation for a project authorized in this act is not  
6 sufficient to complete all the purposes specified, the  
7 appropriation may be expended for any portion of the purposes  
8 specified in the appropriation. Expenditures shall not be made  
9 for purposes other than those specified in the appropriation.

10 Section 41. ART IN PUBLIC PLACES.--Pursuant to Section  
11 13-4A-4 NMSA 1978 and where applicable, the appropriations  
12 authorized in this act include one percent for the art in  
13 public places fund.

14 Section 42. EMERGENCY.--It is necessary for the public  
15 peace, health and safety that this act take effect immediately.